

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADIL K HIRAMANEK, et al.,
Plaintiffs,
v.
L MICHAEL CLARK, et al.,
Defendants.

Case No. [13-cv-00228-RMW](#)

**ORDER DENYING MOTION TO
STRIKE ANSWER OF DEFENDANT
SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SANTA CLARA**

Re: Dkt. No. 181

Plaintiffs move to strike the amended answer filed by defendant Superior Court of California, County of Santa Clara. Dkt. No. 181 (Motion to strike); Dkt. No. 178 (Answer). The Answer includes 13 affirmative defenses. Plaintiffs' claim against the Superior Court is limited to the same ADA and Rehabilitation Act claim that Judge Chen found survived a motion to dismiss, the only difference being that in the currently operative complaint Adil has also alleged ADA violations. *See* Dkt. No. 163 (Order on motion to strike). This is the second motion to strike the Superior Court's answers. *See* Dkt. No. 109 (first motion to strike). The court already ruled that the Superior Court's first, second, third, and thirteenth affirmative defenses (previously the sixth, twenty-third, thirty-first, and thirty-fourth affirmative defenses) were sufficiently pled. Plaintiffs' further arguments on those defenses are not persuasive. The court previously struck the nine other

1 affirmative defenses without prejudice. Defendant has now added sufficient factual detail to the
2 defenses to meet the *Twombly* and *Iqbal*¹ standard. Accordingly, the motion to strike is DENIED.

3 **IT IS SO ORDERED.**

4 Dated: February 18, 2015

5 
6 Ronald M. Whyte
United States District Judge

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¹ *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007); *Ashcroft v. Iqbal*, 556 U.S. 662 (2009).